
The premier jewish organization confronting the challenges of infertility

July 17, 2014

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request For Review

We would like to appeal the decision of USAC to rescind funding for FRNs 2358242, 2358244, 2358246, and 2358249 of form 471 # 865633

We would like to appeal the decision of USAC to rescind funding for FRNs 2380944, and 2380957 of form 471 # 872846

We would like to appeal the decision of USAC deny funding for FRN 2384855, 2384866, 2384876, 2384886, 2384892 and 2384906 of form 471 # 874029.

The following reason was given on the FCDL:

DR1: TORAH INFRATILITY MEDIAM OF EXCHANGE (A.T.I.M.E) was identified as potentially being a multi-use facility that functions both as a library and serves other functions. The entire FRN is denied because you failed to clarify if the facility is multi-use and failed to identify ineligible costs associated with non-library components of TORAH INFRATILITY MEDIAM OF EXCHANGE.

We first appealed this decision with USAC but USAC denied our appeal by providing a different reason than was originally mentioned in the FCDL. In Administrator's Decision on Appeal letter it states as follows:

Your website <http://www.atime.org/> identifies your organization as a facility that offers advocacy to men, women, and couples struggling with fertility issues. FCC rules require that discounts are to be provided only to entities eligible to receive E-rate funding. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of improperly disbursed funds from the applicant. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied

It is interesting that USAC did not reach out to us to explain what is mentioned in our web site.

Following is description of our organization:

A TIME is the premier, internationally acclaimed organization that offers advocacy, education, guidance, research and support through our many programs to men, women, and couples struggling with reproductive health and infertility. As part of the organization we have a library.

We have applied for E-rate funding for just the Library Address 1310 48th Street. The library is open for the public and provides resources for fertility and related topics. A member of Metropolitan New York Library Council came down and conducted a site visit and were very impressed.



Rabbi Shaul Rosen, Founder and CEO

Shaul Rosen
Torah Infertility Medium Exchange
1310 48th Street
Suite 406
Brooklyn, NY 11219

Billed Entity Number: 16067173
Form 471 Application Number: 865633
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

May 27, 2014

Shaul Rosen
Torah Infertility Medium Exchange
1310 48th Street
Suite 406
Brooklyn, NY 11219

Re: Applicant Name: TORAH INFRATILITY MEDIAM OF
EXCHANGE
Billed Entity Number: 16067173
Form 471 Application Number: 865633
Funding Request Number(s): 2358242, 2358244, 2358246, 2358249
Your Correspondence Received: May 12, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2358242, 2358244, 2358246, 2358249
Decision on Appeal: **Denied**
Explanation:

- Your website <http://www.atime.org/> identifies your organization as a facility that offers advocacy to men, women, and couples struggling with fertility issues. FCC rules require that discounts are to be provided only to entities eligible to receive E-rate funding. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of improperly disbursed funds from the applicant. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter.

Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company